

## **Myanmar civil society proposes new Union Human Rights Commission Law amid ongoing campaign of terror by the Myanmar military junta, urges its swift adoption**

[14 December 2021] The CSO Working Group on MNHRC Reform (WG on MNHRC Reform) submitted a proposed draft of a new [Union Human Rights Commission \(UHRC\) Law](#) to the National Unity Consultative Council (NUCC), the Committee Representing Pyidaungsu Hluttaw (CRPH) and the National Unity Government (NUG).

Given the flaws in the previous Myanmar National Human Rights Commission (MNHRC) Law, as well as the MNHRC's cooperation with the junta and silence amid their horrific human rights violations, it is essential that the NUG abolishes this defunct institution. "It is imperative that the CRPH and the NUG swiftly adopts the proposed law and establishes a new UHRC which operates on a legal foundation that provides a strong mandate to act effectively and independently to protect human rights" said the WG on MNHRC Reform.

The WG on MNHRC Reform and the Asian NGO Network on National Human Rights Institutions (ANNI) today also launched a report "[You're the Devil in Disguise: the Duplicitous, Obsolete MNHRC](#)" which highlights how the endemic flaws in the structural integrity of the MNHRC's legal framework led to its eventual capitulation in the aftermath of 1 February 2021 attempted coup by the illegal Myanmar military junta.

**Thinzar Shunlei Yi of Action Committee for Democracy Development:** "The previous MNHRC Law was inadequate in ensuring that the MNHRC is able to fulfil the duties of a NHRI in the promotion and protection of human rights. If our proposed UHRC Law is adopted by the CRPH and the NUG, no longer will the MNHRC be a shield to deflect criticism of the military's abuses, and Myanmar can finally have a credible, respected and effective NHRI."

Naw Htoo Htoo of Karen Human Rights Group: "The UHRC established through this proposed law will demonstrate what a genuine human rights institution can look like in Myanmar. The draft law would constitute the UHRC that will be the sole body to proactively protect and promote the human rights of everyone within the Union."

**Aue Mon of Human Rights Foundation of Monland:** "The actions of the MNHRC since the attempted coup demonstrate that it is nothing more than a willing partner in the junta's murderous violence. It makes a mockery of its stated objectives to promote and protect human rights, and renders it complicit in crimes against humanity that have occurred over the past ten months."

The proposed law, drafted over a period of five months by the WG on MNHRC Reform with input from regional and international experts, addresses some of the key problems in the previous law. This includes the lack of independence in the selection of the commissioners, lack of provisions to ensure plurality, both in terms of commissioners and staff, little Parliamentary oversight, disproportionate executive influence, and insufficient powers of investigation. Importantly, the new UHRC Law complies much more fully with the Paris Principles, the internationally recognised standards on how a NHRI should function.

The importance of completely reconstituting and overhauling the MNHRC is reflected in the performance of the commission since the attempted coup of 1 February. The office of the Commander-in-Chief announced on day one of the attempted coup that the MNHRC is to continue to fulfil their duties. Yet the MNHRC has yet to condemn either the illegal power grab, or the brutal violence committed against the people of

Myanmar by junta forces. Despite ignoring repeated [urgings](#) from Myanmar civil society to denounce the attempted coup, the MNHRC has resumed its activities, releasing statements and photographs as if nothing has happened. Worse still it suspended staff for participating in the nationwide Civil Disobedience Movement (CDM) against the junta.

Despite the MNHRC's complicity with the attempted coup, it remains a member and participant of regional and international forums of NHRIs such as the Global Alliance of National Human Rights Institutions (GANHRI), the Asia Pacific Forum on National Human Rights Institutions (APF) and the Southeast Asian National Human Rights Institution Forum (SEANF).

**Shamini Darshni Kaliemuthu of FORUM-ASIA as the ANNI Secretariat:** "Since the attempted coup, civil society in Myanmar has witnessed the deterioration of human rights. The omissions and silence of the MNHRC have further contributed to this. It is time for an effective and independent NHRI to be established in the pursuit of democracy and human rights protection for the people in Myanmar."

**Khin Ohmar of Progressive Voice:** "International platforms must take appropriate action and suspend the MNHRC from membership until the new UHRC is established. The reputation of such platforms is at stake by having a member that is in stark opposition to their mandates to promote and protect human rights. Furthermore, regional and international platforms must support the establishment of the new UHRC, working with the NUG to legislate the new UHRC, as the APF did with Taiwan's government."

The proposed law would establish the UHRC, with a stronger mandate to investigate human rights violations, is representative of Myanmar's diverse peoples, and is independent from the government and the military. It will be an essential component of a federal, democratic nation that stands for the human rights of all its peoples and a future free from military rule.

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#### **Note to editors:**

The report "[You're the Devil in Disguise: the Duplicitous, Obsolete MNHRC](#)" is an extended Myanmar chapter of the 2020 ANNI report on the Performance and Establishment of National Human Rights Institutions. The full ANNI report can be found here: <https://www.forum-asia.org/?p=36231>

See the statement calling for the suspension of the MNHRC from regional and global platforms of national human rights institutions, and the end to any cooperation from its international partners can be viewed here: <https://progressivevoicemyanmar.org/2021/03/11/international-partners-must-end-all-cooperation-with-the-myanmar-national-human-rights-commission/>

**About the CSO Working Group on MNHRC Reform:**

The CSO Working Group on MNHRC Reform consists of 22 diverse Myanmar civil society organizations that works to advocate for the reform of the MNHRC so it is an effective, independent, and transparent NHRI that promotes and protects the rights of all people of Myanmar in line with the Paris Principles – the international standards for NHRIs.

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